

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

RICHARD HAAN, Individually and on Behalf )  
of All Others Similarly Situated, ) Civ. Action No. 15 Civ. 00094  
Plaintiff, ) Hon. Wendy Beetlestone, J.  
vs. )  
FIVE BELOW, INC., DAVID )  
SCHLESSINGER, THOMAS G. VELLIOS, )  
JOEL D. ANDERSON and KENNETH R. )  
BULL, )  
Defendants. )

**NOTICE OF VOLUNTARY DISMISSAL**

PLEASE TAKE NOTICE THAT Plaintiff Arkansas Teacher Retirement System ("Arkansas Teacher" or "Lead Plaintiff"), pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby voluntarily dismisses all claims in the above-captioned action (the "Action"), without prejudice, against Defendants Five Below, Inc., David Schlessinger, Thomas G. Vellios, Joel D. Anderson, and Kenneth R. Bull.

On January 9, 2015, Plaintiff Richard Haan filed a class action complaint alleging violations of federal securities laws entitled *Haan v. Five Below, Inc., et al.*, 15 Civ. 00094 (E.D.Pa.) [DKT.# 1].

On March 30 2015, the Court appointed Arkansas Teacher as Lead Plaintiff and approved its selection of Lead Counsel and Liaison Counsel [Dkt. #39].

No Defendant has filed an answer or moved for summary judgment with respect to the operative class action complaint, and the Action has not been certified as a class action. Accordingly, Lead Plaintiff properly may dismiss all claims in the Action without prejudice under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure.

Dated: May 27, 2015

Respectfully submitted,

**LABATON SUCHAROW LLP**

By: /s/ Joel H. Bernstein  
Joel H. Bernstein

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*Lead Counsel for Lead Plaintiff  
and the Class*

**CERTIFICATE OF SERVICE**

I, Joel H. Bernstein, certify that on this 27th day of May, 2015, I filed the foregoing document via the Court's ECF system, which caused electronic notification upon all counsel of record.

*/s/ Joel H. Bernstein*  
Joel H. Bernstein